

1 that's contained in Exhibit Number 1 for Radio
2 Representatives?

3 A Yes, I have.

4 Q Is it true and correct to the best of your
5 knowledge and belief?

6 A Yes, it is.

7 MR. ALPERT: Your Honor, I move to have
8 Exhibit Number 1 introduced into evidence.

9 JUDGE LUTON: Any objections to 1? 1 is
10 received.

11 (Whereupon, the document marked
12 as Radio Representatives Exhibit
13 Number 1 was received in
14 evidence.)

15 MR. ALPERT: Thank you, Your Honor. I now
16 present Mr. Harrison for cross examination.

17 JUDGE LUTON: Let's start with Ferguson.

18 CROSS EXAMINATION

19 BY MR. MONAHAN:

20 Q Mr. Patterson, turning to Exhibit Number 1, by
21 my count that exhibit accounts for approximately half of
22 the stock ownership of Radio Representatives Inc. Is
23 that correct?

24 A It looks like it's a little bit less than
25 that. Yes.

1 Q For the record it notes that you have a 16
2 2/3's stock interest. That's correct?

3 A Yes.

4 Q It notes that James Patterson, Jr. holds a 16
5 2/3's stock interest.

6 A Yes.

7 Q It notes that Sharon Patterson holds a 16
8 2/3's stock interest.

9 A Yes.

10 Q I think that's 50 percent. We suggest that's
11 50 percent of the issued stock.

12 A It may very well be.

13 Q Is it or is it not?

14 A I haven't added the numbers.

15 Q Are there additional stock holdings in Radio
16 Representatives Inc.?

17 A Yes.

18 Q Who owns that stock?

19 A My wife owns 16 2/3 percent, Merlin Corline
20 Patterson, and my sister, Gloria Don Delgedi, owns 1/3.

21 Q All shares of the voting stock in Radio Rep
22 Inc. is held by the Patterson families. Is that a fair
23 characterization?

24 A Yes.

25 Q Is James Patterson, Jr. your brother?

1 A Yes.

2 Q This would appear that Radio Representatives
3 Inc. is owned by three siblings and their spouses. Is
4 that correct?

5 A Yes.

6 Q What is the stock structure of Radio
7 Representatives Inc.?

8 MR. ALPERT: Excuse me, Your Honor, I think
9 I'm going to object. The only matter which is of
10 relevance here, because there's no integration credit
11 that's being pled whatsoever, are the diversification
12 aspects of Radio Representatives' application. That is
13 fully stated within this application and none of the
14 testimony which is occurring at this point is at all
15 responsive to the direct testimony which is presented
16 here.

17 JUDGE LUTON: He's trying to find out the
18 shape of Radio Representatives. I don't see anything
19 wrong with that. It should have been stated in here
20 somewhere. Overruled.

21 BY MR. MONAHAN:

22 Q Mr. Patterson, does Radio Representatives Inc.
23 have any other stockholders other than those listed here
24 and the ones we've disclosed on the record now as a
25 result of your further testimony?

1 A There is no other persons who own voting stock
2 in Radio Rep.

3 Q Are there persons who own non-voting stock in
4 Radio Rep?

5 A Yes.

6 Q And could you identify those individuals?

7 A Yes, it's my uncle and his wife, Peterson.

8 Q Is that a first name or a last name?

9 A No, that's a last name.

10 Q His full name?

11 A I'm embarrassed to say I drew a mental block
12 just now. Norris.

13 Q How many shares of voting stock are there
14 authorized in RRI?

15 A I don't know the number of shares.

16 Q How many shares do you hold?

17 A I don't recall the number that I own but I
18 know it is 16 2/3's percent.

19 Q Have you had occasion to review the corporate
20 records recently of the company?

21 A Yes, I have the stock at home. I know right
22 where my stock certificates are but I don't know off the
23 top of my head how many shares that represents.

24 Q Do you recall what you paid for your stock in
25 the company?

1 MR. ALPERT: Excuse me, Your Honor. Now we're
2 getting way beyond what the structure of the
3 organization is. Now we're talking about past payments
4 and we're also getting into non-voting stock which I
5 have an inability to see how that relates to
6 diversification.

7 MR. MONAHAN: Well, it depends, Your Honor.

8 JUDGE LUTON: It sure does depend. Overruled.

9 BY MR. MONAHAN:

10 Q Do you know how many shares are authorized of
11 non-voting stock?

12 A I do not know the number of shares. No.

13 Q Are you aware of the percentage ratio between
14 non-voting and voting stock in Radio Representatives
15 Inc.?

16 A Not without looking at the record.

17 Q Do you have any records here to refresh your
18 recollection available in the room?

19 A I don't think I do.

20 Q Do you know how many shares of stock that your
21 uncle, Norris Peterson, owns?

22 A Numbers of shares? No, I don't.

23 Q Do you recall when your uncle, Norris
24 Peterson, acquired his interest in non-voting stock?

25 MR. ALPERT: Excuse me, Your Honor. I'm going

1 to object once again. I can understand how, as Your
2 Honor pointed out, it depends but the predicate hasn't
3 been at all asked concerning whether or not Mr. Peterson
4 has any broadcast interest which even if it would turn
5 out that this non-voting stock has somehow acquired some
6 sort of voting rights or something like that. There's
7 nothing which has been established. There isn't
8 anything which even then would be cognizant and whether
9 or not he owns any other broadcast interests.

10 MR. MONAHAN: Well, Your Honor, if I may
11 respond. I'm first trying to determine what his
12 interest is and then I'll approach that question. Maybe
13 it'll get nowhere.

14 MR. ALPERT: Well, Your Honor, I would submit
15 that the only point at which that information becomes at
16 all relevant or interesting is at which point as it
17 might lead to something, namely some -- other cognizable
18 broadcast interests.

19 JUDGE LUTON: It would be well to do it the
20 way that Mr. Alpert suggests so as to avoid possible
21 waste of time.

22 MR. MONAHAN: Through the kindness of Mr.
23 Friedman I have, Your Honor, a single copy only which
24 I'll use for purposes of refreshing the witness's
25 recollection of an ownership report dated July 23rd,

1 1987. It purports to be signed by Sherwood Patterson.
2 I'm not sure I'll introduce it but I'll ask the recorder
3 at least to mark this as Ferguson Exhibit #10.

4 (Whereupon, the document was
5 identified as Ferguson Exhibit
6 Number 10 for identification.)

7 MR. ALPERT: Well, Your Honor, I'd still
8 object to the extent that as Your Honor pointed out just
9 a moment ago the far better approach I agree would be to
10 see whether or not this is at all going to lead anywhere
11 to avoid a certain waste of time. I think he should ask
12 the question which you suggested first and then let's
13 see whether or not any of this other questioning is at
14 all necessary.

15 JUDGE LUTON: Mr. Monahan, you're laying out
16 all of these interests and then you're going to do what
17 with it?

18 MR. MONAHAN: Well, I want to find out first
19 what the ownership structure, what the equity is, in
20 Radio Representatives Inc., what the respective shares
21 are owned by Mr. Sherwood, his brother and sister.

22 JUDGE LUTON: I thought we'd already done that

23 MR. MONAHAN: Well, not the shares. He
24 doesn't know. He's answered several times he doesn't
25 recall.

1 JUDGE LUTON: All right. That's right. Is
2 that present effort now to determine through the witness
3 the respective numbers of shares that lie with various
4 persons?

5 MR. MONAHAN: That's correct.

6 JUDGE LUTON: That's as far as you're going at
7 the present time?

8 MR. MONAHAN: At the present time with this
9 document.

10 JUDGE LUTON: Fine.

11 MR. ALPERT: Well, Your Honor, if I might say
12 I mean to the extent that the number of shares might be
13 of some -- I'm not even sure it's of any minor interest.
14 It's the percentage of shares or of ownership in a
15 broadcast entity which matters.

16 JUDGE LUTON: This is a minor matter and it
17 isn't really worth all the discussion. Overruled.

18 BY MR. MONAHAN:

19 Q Mr. Patterson, I hand you Ferguson Exhibit
20 Number 10 which is an ownership report on behalf Radio
21 Representatives Inc. that appears to have been filed
22 with Federal Communications Commission. It's dated July
23 23rd, 1987. I ask that you would review this document
24 which consists of four pages.

25 (Whereupon, the witness examines the

1 document.)

2 BY MR. MONAHAN:

3 Q Having reviewed the document, Mr. Patterson,
4 do you recollect the number of shares of stock you own?

5 A One thousand two hundred and fifty.

6 Q Your wife owns an equal amount?

7 A Equal amount. Yes.

8 Q And your sister Don Delgedi owns?

9 A Two thousand five hundred.

10 Q And your brother James and his wife own?

11 A One thousand two hundred fifty each.

12 Q Total of 10,000 shares of voting stock?

13 A No, I believe it's 7500.

14 Q Your arithmetic is better than mine. Do you
15 know if those shares are par value stock or no par value
16 stock?

17 A I don't know.

18 Q Do you recall the price paid per share?

19 A No, I don't.

20 Q You mentioned that your uncle, Norris
21 Peterson, holds certain interests in the company by
22 virtue of non-voting stock and you had indicated you
23 didn't recall how many shares he owned.

24 MR. ALPERT: Excuse me, Your Honor, I think
25 we're getting back into the area which you suggested

1 might be avoided entirely if we could just ask a simple
2 basic question which I think Mr. Monahan already might
3 know the answer to.

4 MR. MONAHAN: Your Honor, I believe the answer
5 to the question is he didn't know. I have a document
6 which I think will clear the record, at least give us
7 information as to exactly what it is his uncle does own.

8 JUDGE LUTON: Overruled.

9 MR. ALPERT: Your Honor, I don't think that's
10 the question I was referring to. I think the question
11 was the question of whether or not Mr. Peterson even
12 owns any other broadcast interests which are really just
13 about the only thing of interest in this proceeding at
14 this point.

15 JUDGE LUTON: The difficult is Mr. Monahan is
16 asking the questions now. He's free to ask a question
17 he wants to ask rather than one that you would have him
18 ask. Now he wants to know whether this witness knows,
19 after he's refreshed his recollection, whether the
20 witness is able to say how many shares of stock Uncle
21 Norris owns. I think that's the question.

22 MR. MONAHAN: Yes, it is, Your Honor.

23 JUDGE LUTON: Overruled.

24 MR. MONAHAN: I would ask that we mark for
25 identification a document entitled Stock Certificate for

1 Radio Rep Inc. dated September 10th, 1987. I ask that
2 it be marked as Ferguson Exhibit Number 11.

3 JUDGE LUTON: It's marked.

4 (Whereupon, the document was
5 identified as Ferguson Exhibit
6 Number 11 for identification.)

7 BY MR. MONAHAN:

8 Q Mr. Patterson, I hand to you a document which
9 is I believe one page actually printed on both sides
10 which purports to be a stock certificate for Radio Rep
11 Inc. Are you familiar with that document?

12 A Yes, I am.

13 Q Have you reviewed this document and are you
14 now prepared to answer my question as to the number of
15 shares owned by your uncle, Norris Peterson?

16 A Yes, I'm prepared to answer.

17 Q How many shares of stock does he own?

18 A Eighteen thousand shares.

19 Q That's \$10 per share of stock?

20 A Of par value non-voting stock.

21 Q According to this certificate it's fully paid
22 and non-assessable. Is that correct?

23 A That's what it says.

24 Q I know it says that but is that correct?

25 JUDGE LUTON: Well, we've got to make proper

1 use of that. If you're using it to refresh the
2 witness's recollection, that's one thing but to simply
3 have him read a piece of paper is getting nobody's
4 testimony.

5 MR. MONAHAN: No, Your Honor. I'm sorry if I
6 created that impression. What I wanted to know is if
7 Mr. Patterson can testify as to whether or not the
8 \$180,000 represented in this stock certificate has been
9 paid into the company.

10 THE WITNESS: Yes, it has.

11 BY MR. MONAHAN:

12 Q Do you know if the purchase price on the stock
13 you own was \$10 per share?

14 MR. ALPERT: Excuse me, Your Honor, objection.
15 I'm not sure what relevance this has to anything in this
16 proceeding.

17 MR. MONAHAN: I think it relates to his
18 ownership of RRI.

19 JUDGE LUTON: My inclination is to permit this
20 kind of examination without too close analysis since
21 what's offered here gives less than the full picture of
22 the organization. I frankly don't know what it is.

23 BY MR. MONAHAN:

24 Q So to summarize, Mr. Patterson, you and your
25 wife and your brother and his wife and your sister own

1 7500 shares of voting stock and your uncle, Norris
2 Peterson, has 18,000 shares of voting stock.

3 A Non-voting stock.

4 Q Non-voting stock. I stand corrected. When
5 did your uncle acquire his shares in Radio
6 Representatives Inc.?

7 A I don't recall a specific date but I believe
8 it was late September.

9 Q Of which year?

10 A This year.

11 Q Has your application been amended to reflect
12 that fact?

13 A Yes.

14 Q Your Exhibit Number 1 indicates that your
15 brother and his wife hold a fifty percent interest in
16 New Life Enterprises, Inc. and that's the licensee of a
17 station in Fresno, California. Is that correct?

18 A Yes.

19 Q Does New Life have any other broadcast
20 interests?

21 A No, not to my knowledge.

22 Q Does Radio Representatives Inc. hold any other
23 broadcast interests other than its application for
24 Blackfoot and the station KGEP reflected in your Exhibit

25 1?

1 MR. ALPERT: Excuse me, Your Honor, objection
2 as to form. This application is not a broadcast
3 interest.

4 MR. MONAHAN: I'll rephrase it.

5 BY MR. MONAHAN:

6 Q Does Radio Representatives have any other
7 pending applications other than this application for
8 Blackfoot, Idaho?

9 A Yes, we do.

10 Q Where?

11 A We have an application for an AM daytimer in
12 Eagle, Idaho which is western Idaho, west of Boise, and
13 we have an application for class C FM in Honolulu,
14 Hawaii and we have a pending application pertaining to
15 KGEP for extension in construction.

16 Q How far west of Boise is Eagle, Idaho?

17 A I really don't know.

18 Q When was the application at Eagle filed with
19 the Commission?

20 A I don't recall the date without looking. It's
21 approximately nine months maybe.

22 Q When was the application filed for Honolulu,
23 Hawaii?

24 A Thirty or sixty days ago.

25 Q That's an FM application?

1 A Yes.

2 Q What sort of facility are they applying for?

3 A Class C.

4 Q Does New Life Enterprises have any
5 applications pending before the Commission for new
6 broadcast facilities?

7 A I believe they have a class A application in
8 Fresno, California. They have just recently withdrawn
9 from Woodlake. It is my understanding that they have
10 withdrawn.

11 Q They had an application pending for Woodlake,
12 California?

13 A Yes.

14 Q Mr. Patterson, does any member of Radio
15 Representatives Inc. propose to be involved in the day
16 to day operation of the Blackfoot facility should they
17 receive the authorization?

18 A We certainly plan to be involved in the
19 management and operation but we are not requesting
20 integration credit for that involvement.

21 Q No full time involvement?

22 A No.

23 Q How did it come to pass that you selected
24 Blackfoot as a community for which you would apply for
25 an FM facility?

1 A This will sound very familiar. As part of my
2 responsibilities I review the window opportunities and
3 various communications. Of course in our engineering
4 company. We do that for ourselves and other clients.
5 In the process of reviewing I came across the eastern
6 Idaho class C station that I believed would be a good
7 possibility, presented it to the rest of the family and
8 we decided to file an application on that.

9 Q Have you been to Blackfoot, Idaho?

10 A No, I haven't.

11 Q Has your brother, James, been to Blackfoot,
12 Idaho?

13 A Not to my knowledge.

14 Q Do you know if any member of RRI has been to
15 Blackfoot, Idaho?

16 A Not to my knowledge.

17 MR. MONAHAN: I have no further questions.

18 JUDGE LUTON: Mr. Friedman.

19 MR. ALPERT: Thank you, Your Honor.

20 BY MR. FRIEDMAN:

21 Q Mr. Patterson, my name is Barry Friedman and I
22 represent Richard P. Dott, II.

23 Referring to your exhibit, Mr. Patterson, and
24 in particular paragraph 2 on page 2, you indicate that
25 Radio Representatives is the permittee of a radio

1 station KGDP AM located in Orcut, California. Is that
2 station presently in operation?

3 A It's under construction.

4 Q I see. And can you tell me how long that
5 station has been under construction?

6 MR. ALPERT: Excuse me, Your Honor. I might
7 object to that. Construction permits are as cognizable
8 under the diversification criterion as anything else and
9 that has no impact whatsoever whether it was just
10 recently awarded, whether it's operating or whatever
11 else. It's the exact same effect.

12 MR. FRIEDMAN: Your Honor, if I recall this
13 morning we had a number of questions about status of
14 various applications.

15 MR. ALPERT: I was not the person to ask those
16 questions and I personally would have objected to them
17 had I been the other counsel.

18 MR. FRIEDMAN: I feel it's a legitimate
19 question to get down in the testimony since it's not on
20 the paper where these various ED interests stand and
21 that's all I'm trying to get at.

22 JUDGE LUTON: Overruled.

23 BY MR. FRIEDMAN:

24 Q You may answer the question.

25 A Would you repeat it please?

1 Q Certainly. Would you please tell me how long
2 Radio Representatives has held the Orcut, California
3 construction permit?

4 A That wasn't the same question as before.

5 JUDGE LUTON: That's all right. That's the
6 one he's asking now.

7 THE WITNESS: Okay. I believe we received
8 that permit in November of '81.

9 BY MR. FRIEDMAN:

10 Q And can you tell me when that permit expires?

11 A As I said we have a current application on
12 file that is pending for an extension. I believe the
13 expiration is in December.

14 Q Of what year?

15 A This year.

16 Q Do you know the date?

17 A The second comes to my mind but I wouldn't be
18 sure on that without reviewing my files.

19 Q Fine. To the best of your knowledge, how far
20 is Orcut, California from Blackfoot, Idaho?

21 A About 800 miles or more.

22 Q Fine. Thank you. You testified in response
23 to a question from Mr. Monahan that there is an
24 application pending for Eagle, Idaho. Is that correct?

25 A Yes.

///

1 Q Can you tell me to the best of your knowledge
2 what is the status of that application?

3 A There is currently a petition to deny. The AM
4 branch has not ruled on that. We anticipate that that
5 will take considerable time before it is ruled upon.

6 Q To the best of your knowledge, how far is
7 Eagle, Idaho from Blackfoot, Idaho?

8 MR. ALPERT: I believe that was asked and
9 answered previously. He said he didn't know.

10 THE WITNESS: I don't know the distance.

11 BY MR. FRIEDMAN:

12 Q Thank you. Next, Mr. Patterson, New Life
13 Enterprises Inc. it's indicated that that is the
14 licensee of station KIRV AM in Fresno, California.

15 A Yes.

16 Q Can you tell me how far, to the best of your
17 knowledge, Fresno, California is from Blackfoot, Idaho?

18 A Seven hundred miles or more.

19 Q Okay. Is Cecil N. Peterson the same as Norris
20 Peterson?

21 A Yes.

22 Q Does Mr. Peterson hold any media interests?

23 A None.

24 Q What does Mr. Peterson do for a living?

25 A I believe he's retired.

1 Q Who is Pauline Peterson?

2 A His wife.

3 Q And what does she do for a living?

4 A I think she may substitute teach but I don't
5 believe there's any more than that.

6 Q And does she hold any mass media interests?

7 A None whatsoever.

8 Q Fine. Mr. Patterson, are you familiar with a
9 lawsuit styled Fletcher, Heald and Hilldreth versus
10 Norwood J. Patterson and Radio Representatives, Inc.?

11 A Yes.

12 Q And can you tell me where that lawsuit is
13 pending?

14 MR. ALPERT: Objection, Your Honor. That has
15 nothing to do with any of the issues in this proceeding.

16 JUDGE LUTON: How can you tell so soon?
17 Overruled.

18 THE WITNESS: Could you repeat the question?

19 BY MR. FRIEDMAN:

20 Q Certainly. Could you tell me where that
21 lawsuit is pending?

22 A Washington, D.C.

23 Q Do you know in what court that's pending?

24 A No, I don't.

25 Q If I show you a document would this help to

1 refresh your recollection?

2 JUDGE LUTON: He didn't indicate that he
3 didn't remember. He said he didn't know.

4 MR. FRIEDMAN: And I'm showing him a document.

5 JUDGE LUTON: To do what? Which will supply
6 him with a basis for answering, not of his own personal
7 knowledge. That's not proper.

8 MR. FRIEDMAN: I will withdraw the document.

9 BY MR. FRIEDMAN:

10 Q Mr. Patterson, can you tell me, to the best of
11 your knowledge, what the status is of that lawsuit?

12 MR. ALPERT: Objection again, Your Honor.
13 Until there's some sort of showing that's made where
14 this testimony is leading, this has no relevance to any
15 of the issues in this proceeding as far as I can tell.

16 JUDGE LUTON: Overruled.

17 THE WITNESS: Repeat the question.

18 BY MR. FRIEDMAN:

19 Q Certainly. Can you tell me, to the best of
20 your knowledge, the status of that lawsuit?

21 A I believe there was a countersuit filed.

22 Q By whom?

23 A By the principals in the lawsuit.

24 Q Okay. And can you tell me whether this
25 lawsuit is going to be tried or has been tried?

1 A It hasn't been.

2 Q Can you tell me, based on this lawsuit has any
3 party attached any stock of Radio Representatives Inc.?

4 A None.

5 MR. FRIEDMAN: I have no further questions.

6 JUDGE LUTON: Redirect.

7 MR. ALPERT: No questions, Your Honor.

8 JUDGE LUTON: All right. Thank you, Mr.
9 Patterson.

10 (Whereupon, the witness was excused.)

11 JUDGE LUTON: Does Radio Representatives have
12 more by way of direct case?

13 MR. ALPERT: No, Your Honor.

14 JUDGE LUTON: Then that completes it.

15 Whereupon,

16 CLARE MARIE FERGUSON

17 was called as a witness by Counsel for Clare Marie
18 Ferguson and having been first duly sworn, assumed the
19 witness stand and was examined and testified as follows:

20 BY MR. MONAHAN:

21 Q Ms. Ferguson, will you give your full name and
22 address for the record.

23 A Clare Marie Ferguson, 168 Pearce Street, Twin
24 Falls, Idaho.

25 MR. MONAHAN: Your Honor, we have previously

1 exchanged hearing exhibits with the other parties in
2 this proceeding. They were bound volumes. I'd like at
3 this time to give the original and a copy to the
4 reporter. What I'd like to do is just take them one at
5 a time.

6 BY MR. MONAHAN:

7 Q Ms. Ferguson, do you have a copy of your
8 hearing exhibits in front of you?

9 A No, I don't.

10 MR. MONAHAN: Your Honor, in view of your
11 ruling this afternoon, Ferguson would like to
12 respectfully withdraw its Exhibits 5, 6, 7, 8 and 9.

13 JUDGE LUTON: Well, they're not really being
14 withdrawn. They've never been received. I think we'll
15 just deal with the ones that you offer.

16 MR. MONAHAN: The other parties may just wish
17 to line those out and we'll renumber -- I guess we'd
18 best leave them there since I've already marked several
19 other exhibits.

20 BY MR. MONAHAN:

21 Q Ms. Ferguson, will you turn to Ferguson
22 Exhibit Number 1 in your bound volume. I would ask the
23 court reporter to mark as Ferguson Exhibit Number 1 a
24 four page document including certification by Ms.
25 Ferguson entitled Biographical Statement of Clare Marie

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1 Ferguson.

2 (Whereupon, the document was
3 identified as Ferguson Exhibit
4 Number 1 for identification.)

5 BY MR. MONAHAN:

6 Q Is that your direct testimony in this case
7 regarding your background, Ms. Ferguson?

8 A Yes, it is.

9 Q Are the statements made therein true and
10 correct?

11 A Yes, they are.

12 MR. MONAHAN: Your Honor, at this time we'd
13 ask that Ferguson Exhibit Number 1 be admitted into
14 evidence.

15 JUDGE LUTON: Objections?

16 MR. ALPERT: No objection, Your Honor.

17 JUDGE LUTON: 1 is received.

18 (Whereupon, the document marked
19 as Ferguson Exhibit Number 1 was
20 received in evidence.)

21 (Whereupon, the document was
22 identified as Ferguson Exhibit
23 Number 2 for identification.)

24 BY MR. MONAHAN:

25 Q Ms. Ferguson, turning to Ferguson Exhibit

1 Number 2, a one page document entitled Integration
2 Statement of Clare Marie Ferguson, is that your direct
3 testimony regarding your integration proposal?

4 A Yes, it is.

5 Q Are statements therein true and correct?

6 A Yes, with one change.

7 Q And that change is, Ms. Ferguson?

8 A "She will also have ultimate responsibility
9 for implementing the station's Equal Employment
10 Opportunity Program." Employment needs to be put in.

11 Q That's on line 8 of that document?

12 A Yes. Other than that it's fine.

13 Q Apart from that change, it's true and correct?

14 A Yes.

15 MR. MONAHAN: We move at this time, Your
16 Honor, to admit into evidence Ferguson Exhibit Number 2.

17 JUDGE LUTON: Objections?

18 MR. FRIEDMAN: No, Your Honor.

19 JUDGE LUTON: 2 is received.

20 (Whereupon, the document marked
21 as Ferguson Exhibit Number 2 was
22 received in evidence.)

23 BY MR. MONAHAN:

24 Q Turning next, Ms. Ferguson, to your Exhibit
25 Number 3 entitled Diversification Statement which also